

(Draft – Awaiting Formal Approval)
**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
APPROPRIATIONS SUBCOMMITTEE**
Ogden District Courthouse
August 23, 2013

Members Present: Sen. Daniel W. Thatcher, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Sen. Ralph Okerlund
Sen. Stuart C. Reid
Rep. Richard Greenwood
Rep. Craig Hall
Rep. Curtis Oda
Rep. Jennifer M. Seelig

Members Excused: Rep. Keven J. Stratton, House Vice Chair
Sen. Curtis S. Bramble
Sen. Jim Dabakis
Sen. Mark B. Madsen
Rep. Rich Cunningham
Rep. Gregory H. Hughes
Rep. Brian S. King
Rep. Merrill F. Nelson

Staff Present: Mr. Gary Syphus, Fiscal Analyst
Mr. Zackery King, Fiscal Analyst
Ms. Jennifer Eyring, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.leg.utah.gov.

1. Division of Juvenile Justice Services (JJS)

Rep. Hutchings stated the purpose of the tours and presentations in this meeting was for subcommittee members to gain a deeper understanding of specific topics, and he encouraged department personnel to express their concerns and insights.

Ms. Susan Burke, Director, Division of Juvenile Justice Services, provided background information on the detention center, stating the purposes are protection, accountability and competency.

The subcommittee toured the Weber Valley Detention Center and was briefed on the problems of the existing building and the need for an updated facility.

The meeting continued at the Ogden District Courthouse.

Mr. Zackery King, Fiscal Analyst, Office of the Legislative Fiscal Analyst (LFA), introduced the remaining agenda items for JJS. The Department of Human Services was invited to explain the Social Services Block Grant (SSBG) because JJS is included in their department. The grant is subject to sequester and that will be taken into consideration in budget recommendations from the LFA Office.

Department of Human Services (DHS) Budget Presentation

Mr. Mark Brasher, Deputy Director, Department of Human Services (DHS), assisted by Ms. Cherie Root, Budget Director, DHS, discussed their budget process. He stated the Social Services Block Grant was intended to give states flexibility to fill in budget gaps for social services programs. In the past few years, the grant has been used to cover budget cuts. He also explained that human resource costs were shifted to the JJS budget and the \$500,000 increase in their budget was the corresponding funding for those expenditures. Mr. Brasher expressed concern about the state relying on SSBG funds which are vulnerable to future cuts by the federal government.

The DHS reports to the Social Services Appropriations Subcommittee, while the Division of Juvenile Justice Services, a part of DHS, reports to the Executive Offices and Criminal Justice Appropriations Subcommittee. A discussion was held about how these two subcommittees and chairs can work more closely together with the department.

Intent Language Follow-up Report

Mr. King said that local and private funding for youth receiving centers is a potential way to reduce state costs and still maintain services.

Ms. Burke discussed the report entitled “Receiving Centers and Youth Services: Utah’s Justice Model for Preventing Delinquency.” Their goal is to provide early intervention services and reduce the need for confinement. Early intervention has been shown to be more effective in curbing delinquency and is cost effective with tax dollars. Ms. Burke stated they have reduced the number of youth confined by 20% by improvements made in matching services to youth needs. The role of receiving centers within the scope of youth services was discussed. The report included locations and hours of operations of receiving centers throughout the state. The challenges of reduced hours of operations were discussed.

Funding for Receiving Centers and Youth Services programs includes: 1) solely state funded, 2) state-county partnerships, and 3) contracted services with the local county. The subcommittee discussed ways to encourage local governments to partner with the state and contribute to the costs for local youth services. Ms. Burke noted that Friends of Children’s Justice Centers Boards are 501C3 organizations that are independent and can solicit private donations and that is a way to provide additional funding.

In discussing the conclusions and recommendation in the report, Ms. Burke suggested that the state inform the counties of the maximum amount of funding they can provide, and allow the counties to provide the funding to cover any additional level of service they want to maintain. The subcommittee discussed organizing a working group with help from the Commission on Criminal and Juvenile Justice to partner with local cities and counties to fund receiving centers and youth services.

Proposed Weber County Multi-Use Facility

Ms. Burke discussed the handout outlining the proposed multi-use facility. The facility would consolidate six different critical program areas currently operating in six different locations in Weber and Davis counties. The building would be funded through Physical Facilities. It is anticipated that the new facility will save \$390,000 in annual lease and operation costs. Costs for running the programs would remain the same unless programs were expanded in the future. There are benefits to a centralized location, but greater distances may be a hardship to families. The facility is designed to be expanded as needed.

2. Approval of Minutes

No minutes were approved due to a lack of a quorum.

LUNCH BREAK [Agenda Item 5]

3. Criminal Justice Compensation Comparison: State and Local Government

Mr. Gary Syphus, Fiscal Analyst, LFA, introduced the Issue Brief, "Criminal Justice Compensation Review: Officer, Correctional Officer, and Dispatcher." The review includes compensation compared to the market and other state employee positions as provided by the Department of Human Resource Management (DHRM), and is data from FY 2012, unless otherwise noted. Mr. Syphus explained the various charts and appendix.

Ms. Debbie Cragun, Executive Director, DHRM, and John Mathews, Director, DHRM, answered questions from the subcommittee concerning data used in the issue brief. To be more productive for the subcommittee, Rep. Hutchings requested the data to be narrowed down to only Utah information. Ms. Cragun pointed out that the appendix includes only salary comparisons, without benefits or other compensation, and provides insight into how particular job groups compare. It was noted that by statute, data can only be collected on the three largest employers. It was felt that the ability to collect data from more sources would provide a more accurate analysis, and would facilitate the state in making compensation decisions.

Mr. Syphus continued his explanation of the information in the issue brief, including the Utah Retirement Benefit/Contribution Summary and the Utah Highway Patrol Early Separations and Retirements Report. He also pointed out Quartile Distribution data and a downturn of average salaries in the Historical Market Position for Correctional Officers.

Mr. Mike Haddon, Deputy Director, Department of Corrections (DOC), stated they are having a hard time filling vacant positions. He said it takes 2 to 3 months to screen applicants plus additional time for their training in the academy. He felt the possible prison relocation was playing a role in the difficulty of obtaining new recruits.

Mr. Keith Squires, Commissioner, Department of Public Safety, and Colonel Danny Fuhr, Utah Highway Patrol, addressed the committee concerning trooper compensation and retention. Col. Fuhr said that additional funding over the last few years has helped them retain and recruit troopers. Every early departure of a trooper costs the department \$35,000. The goal is to have a trooper stay for 25 years. Pay increase steps are not laid out for troopers because pay structure for troopers is dependent on funding each fiscal year and is capped by statute. It is felt that this is a contributing factor in troopers leaving for other law enforcement jobs.

Ms. Cragun added that traditionally, lower salaries have been offset by good benefits, but younger workers are not attracted by benefits, because they prefer higher salaries.

4. Guardian ad Litem (GAL) Intent Language Follow-up

Mr. Syphus stated that intent language from the past session required the Office of Guardian ad Litem (GAL) to return with a report of performance measures, including industry benchmarks, metrics from model state GAL offices, and other relevant metrics.

Ms. Liz Knight, Director, GAL, discussed the handout entitled “Performance Measures.” She stated that Utah’s unique statewide structure does a very good job representing children, but makes it hard to compare their performance with other states. The GAL Office has established seven standards with corresponding performance measures. One standard of concern is the high caseload level, where attorneys are representing more children than is recommended by the American Bar Association (ABA), the National Association of Counsel for Children (NACC), and the U.S. Department of HHS Children’s Bureau. Ms. Knight said caseload levels should decrease with recent changes made in the District Court. The office will also be taking a closer look into cases that they may not need to be involved in.

Ms. Knight stated that they are able to recruit attorneys, but have problems retaining them, partly because of salary and the nature of the work. In response to committee questions, Ms. Knight stated that some things must be done by the attorney by statute, but they could look into models that have other people providing more assistance to the attorneys. Additional intent language addressed funding options. The Utah Friends of CASA (Court Appointed Special Advocate) Board has been able to raise private funding for the purpose of recruiting, training, and retaining CASA volunteers.

6. Performance/Benchmarks – Governor’s Office of Management and Budget

Mr. Greg Gardner, Governor’s Office of Management and Budget, introduced the SUCCESS Framework and gave an overview of the program and how it has helped departments become more efficient. Governor Herbert has set a target to improve government operations and services by 25 percent (a combination of quality and throughput/operating expense) throughout the next four years.

Mr. Gary Scheller, Director, Utah Office for Victims of Crime (UOVC), described how they measure quality and throughput to establish a baseline for the goal.

Mr. Gardner stated that the program is starting up and data will be provided to the Legislative Fiscal Analyst Office and made available to lawmakers. Mr. Gardner continued his explanation of throughput operating strategy, constraints, and selecting and maximizing control points. Mr. Scheller added how they had implemented the program points in the UOVC to handle cases more efficiently. He stated that going through this process has helped them identify efficiencies to implement.

Mr. Haddon gave an overview of the DOC’s initial work on their throughput operating strategy and control points. Their overall goal is to keep people from coming into the prison system and to reduce recidivism.

Rep. Hutchings reminded the subcommittee that the next meeting will be held on Thursday, October 3, and Friday, October 4, 2013, and will begin in Salt Lake City, will tour facilities on the way to St. George, and continue in St. George on Friday.

7. Other Business

There was no other business to conduct.

8. Weber County Jail Tour

The subcommittee toured the Weber County Jail facility at 721 W. 12th Street, in Ogden.